

News

New Bay Area rule aims to cut cancer risks from polluted air



(Contra Costa Times/Mark DuFrene) The Chevron refinery in Richmond is one of some 400 Bay Area businesses expected to be affected by a rule to reduce toxic air pollution (Mark DuFrene)

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SAN FRANCISCO — A pioneering rule approved by pollution regulators Wednesday aims to lessen the cancer risk from breathing air around Bay Area oil refineries, power plants, crematoria, sewer plants and many other businesses.

An estimated 400 plants in nine counties are expected to be affected by the rule that requires reductions in toxic air pollution if emissions from a plant increase its neighbors' cancer risk by 10 in a million or more, said managers at the

Bay Area Air Quality Management District.

Officials called the rule, adopted unanimously, the strictest in the nation to regulate toxic air contaminants such as benzene, diesel soot, mercury and polycyclic aromatic hydrocarbons. Business groups expressed concern that it goes too far.

“This is a big win for public health,” said Jack Broadbent, the air district’s executive officer. “This rule is a critical step toward controlling toxic air pollutants from facilities, delivering cleaner air for our most vulnerable communities and providing the most health-protective standards in the nation.”

The Bay Area’s new risk standard is stricter than the 25-in-a-million standard used in Southern California’s biggest pollution district, which is called South Coast. More types of business are covered by the Bay Area rule, including hospitals, landfills, data centers, metal recyclers and chrome plate factories.

The Bay Area has dramatically reduced toxic air contaminants in the past three decades, Broadbent said, but there are still neighbors near some industries who bear a disproportionate share of the risk from the pollution.

In the district’s packed hearing room Wednesday in San Francisco, 50 speakers were sharply divided over the rule. Environmental and social justice advocates such as

Communities for a Better Environment, Friends of the Earth and the American Lung Association of California supported the rule as a way to protect industrial neighbors.

“We want you to protect people. That is your mission,” said Richard Gray of 350 Bay Area, an environmental group.

However, dozens of oil refinery and industry workers said the rule vote should be delayed because the measure is too strict and could impose undue costs on industries for hard-to-show health benefits.

“The proposal will promote clean air, but it has shortcomings,” said Walt Gill, a spokesman for the Chevron oil refinery in Richmond. “We continue to ask why the 10 in a million is appropriate. This is a lofty goal, but it is putting the Bay Area at a disadvantage.”

Under the rule, the pollution agency will conduct an assessment to estimate how much extra risk the toxic air contaminants create for neighbors who live near an industry for decades. If the increased cancer risk is determined to be 10 in a million or greater, businesses must come up with reduction measures such as building bigger smokestacks, adding filters, changing manufacturing methods or cutting back on production.

Industries have flexibility because it’s up to them to decide how they lower the health risk from their emissions.

Moving an emissions source further from neighbors' homes might achieve compliance in some cases, engineers said.

If industries object to the air district's emissions estimates, the plants can appeal to a neutral outside board.

Agencies would have five years to make the reductions, but they could appeal to the district to get a five-year extension if it were financially unfeasible to make the changes, officials said.

Air board members said it's hard to predict who will get cancer, but they are concerned about the higher risk from long-term exposures to industrial neighbors.

Liz Kniss, the air board chairwoman and also Palo Alto's vice mayor, said she is a cancer survivor, but she knew people who had not survived.

"We don't know exactly what causes cancer," Kniss said, "but we can use these toxic issues we're talking about to do something to lower the risk."